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AUTHOR Vontz, Thomas S.; Drake, Sarah E.

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ABSTRACT

This digest addresses teaching about the U.S. Congress. The digest addresses the constitutional foundations of the U.S. Congress, including the Virginia Plan, the New Jersey Plan, representation, bicameralism, and the balance of power between state and federal government and among the executive, judicial, and legislative branches of the federal government; discusses the evolution of the U.S. Congress from its inception to the present day, including comparisons of days in session, average length of bills, and number of bills passed; and annotates five Internet resources for teaching about the U.S. Congress. (BB)



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Thomas S. Vontz
Sarah E. Drake

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2805 EAST TENTH STREET • SUITE 120
INDIANA UNIVERSITY
BLOOMINGTON, INDIANA 47408
812-855-3838 • 800-266-3815

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# Teaching about the U.S. Congress

By Thomas S. Vontz and Sarah E. Drake

The United States Congress is a central institution of government in the United States. It is also a central focus in many social studies classrooms. This ERIC Digest treats constitutional foundations of Congress, development of Congress, and World Wide Web resources for teaching about Congress.

**Constitutional Foundations.** Disagreements about the structure, functions, and powers of Congress were prominent at the Constitutional Convention of 1787. Two proposals, the Virginia Plan and the New Jersey Plan, framed debates about Congress. In response to the impotence of Congress under the Articles of Confederation, both plans were designed to increase the power of the national government, including Congress.

The Virginia Plan called for a two-house legislature: one to be elected by the people and the other to be chosen by the first house. The plan also called for proportional representation based on the population of each state.

Delegates from states with small populations vehemently opposed the Virginia Plan because it diminished their power in Congress relative to the states with large populations. According to the New Jersey Plan, each state would continue to have equal representation in the unicameral Congress of the United States.

Settling the disagreement over representation in Congress was crucial to the success of the Convention. The Convention eventually made the "Great Compromise." It provided for a two-house legislature in which states were represented on the basis of population in the House of Representatives and represented equally in the Senate.

The structure of Congress set forth in the Constitution (see Article I, Sections 1-4) provides for a bicameral legislature consisting of two distinct houses. The House of Representatives is composed of members elected by the eligible voters of each state for a two-year term of office. It is led by a Speaker and has the exclusive power to raise revenue. The Senate is composed of fewer members, two from each state, selected by the state legislatures (this provision was amended in 1917 with passage of the 17th Amendment, which provides for election of Senators by popular vote). The Senator's term of office is six years. It is led by the Vice President of the United States and has the exclusive power of advice and consent with regard to Presidential appointments and treaties. The disparity between respective term lengths for the two Houses of Congress serves as a mutual check.

The Constitution also creates a government in which power is divided between the national and state governments, separated and shared among three branches of government, and limited by the supreme law of a written Constitution. Article I, Section 8 of the Constitution enumerates seventeen powers of Congress and an eighteenth power enabling Congress to do whatever is "necessary and proper" to carry out its enumerated powers. The 10th Amendment reserves other powers, not in conflict with the Constitution, to the states or to the people.

Power is separated and shared among the Congress, President, and Supreme Court. Each branch has a distinct major function (legislative, executive, and judicial), but each branch also can "check," or limit, the power of the other two. The President, for example, may veto legislation passed by Congress, or the Supreme Court may rule legislation passed by Congress to be unconstitutional and therefore null and void. Several specific provisions of the Constitution limit the power of Congress, including the enumeration of powers in Article I, Section 8, the prohibitions on Congress's power in Article I, Section 9, and the enumeration of individual rights in the Bill of Rights. The framers of the Constitution attempted to give the new Congress enough power to govern effectively yet provide sufficient limitations to ensure the newly created institution would not abuse its authority.

**Development of Congress.** During the First Congress, Representatives and Senators focused most of their attention on establishing procedures and precedents for the institution, many of which continue to this day. The legislative highlights of the First Congress included the authorization of a patent office, a census, and a provisional system of government of the western territories. In 1791, a total of 142 clerks assisted members of Congress (Davidson and Oleszek, 1998, 26). By today's standards, few bills were proposed or passed. Service in Congress was a part-time occupation as its first members finished their work in two brief sessions.

Today, being a member of Congress is a full-time job for 435 representatives and four delegates (from the District of Columbia, Guam, the Virgin Islands, and American Samoa) and 100 senators, most of whom split their time between Washington DC and their home district or state. More than 17,000 staff members serve individual members and committees. Members of Congress today must devote considerable time to committee meetings, staff meetings, party functions, floor votes, constituent services, and campaigning. By most measures (including hours in session, committee meetings, and floor votes) the congressional workload has almost doubled since the 1950s (Davidson and Oleszek, 1998, 28). Of 44,195 bills passed by Congress in over 200 years, only 3,163 were passed in its first 50 years and 41 percent were passed in the last 50 years. The legislation passed by Congress has also increased in scope and complexity.

The average bill in the Eightieth Congress (1947-48) was 2.5 pages long; during the One-hundred fourth Congress

***Thomas S. Vontz*** **is director of the Indiana Program for Law-Related Education at the Social Studies Development Center and a research associate in the Indiana University School of Education.** ***Sarah E. Drake*** **is a doctoral student in the School of Education and a project assistant at the Social Studies Development Center of Indiana University.**

(1995-96), the average bill was 19.1 pages long. Today, the average senator or representative works an 11-hour workday when Congress is in session. During the One-hundred fourth Congress, the House of Representatives was in session 289 days and the Senate 343 days (Davidson and Oleszek, 1998, 28).

A variety of factors explain the expansion of Congress. The population and complexity of life in the United States has grown dramatically since 1789. The First Congress was responsible for making laws for roughly 3.5 million people. A majority of the people lived in rural areas, and the economy was based primarily upon agriculture. Today's Congress is responsible for making laws for more than 275 million people. The vast majority of people live in urban areas, and the economy is based largely upon providing information-based services and industrial goods.

Broad interpretations of Congress's constitutional authority and amendments to the Constitution expanded the role of Congress. In an early Supreme Court decision, *McCulloch v. Maryland* (1819), the Court broadly interpreted the powers of Congress implied by the necessary and proper (elastic) clause. Subsequently, Congress drew upon this ruling to increase federal power. The 16th Amendment, giving Congress the authority to enact income tax laws, also contributed to an expanded Congressional role. The federal funds derived from the income tax provide the necessary financial support for social welfare programs legislated by Congress.

The role of Congress has also increased through the expansive policies and active government philosophies of several presidents. The presidencies of Abraham Lincoln, Theodore Roosevelt, Woodrow Wilson, Franklin Roosevelt, Harry Truman, and Lyndon Johnson have helped to expand the role of Congress. During the Great Depression, for example, Congress passed many of Franklin Roosevelt's proposals to combat unemployment, poverty, and poor working conditions. This legislation not only helped to create a New Deal for the American people, it also meant that Congress became more active and involved in American life.

**World Wide Web Resources for Teaching about Congress.** The following Web sites are recommended to teachers and students:

**Center on Congress at Indiana University.** This Web site, sponsored by the Center on Congress at Indiana University, provides information about the history of Congress and Congress today. The Center is directed by former U.S. Congressman Lee H. Hamilton, and the Web site features links to sites on House and Senate floor activity, speeches by Hamilton, and information on "how Congress works." <http://Congress.indiana.edu/>

**The Dirksen Congressional Center.** The Dirksen Congressional Center's Web site seeks to enhance civic engagement by improving students' understanding of Congress and its leaders. The site offers links to the Dirksen Center's archival holdings, which include documents about the achievements of the late Senator Everett Dirksen and information about educational opportunities for student and teachers. CongressLink, Congress in the Classroom, and Congressional Insight are examples of Web sites promoted by the Dirksen Center that facilitate student-centered, inquiry-based learning. <http://www.pekin.net/dirksen/>

**House and Senate Web Sites.** These sites provide historical information about the House and Senate, display the Congressional calendar, and enable students to communicate directly with their Representatives and Senator. <http://www.house.gov/> and <http://www.senate.gov>

**THOMAS.** This site, sponsored by the Library of Congress, summarizes legislation, the Congressional Record, and current committee work. It also features links to Congressional documents and debates throughout history. <http://thomas.loc.gov/>

**Capweb.** This general information site features live video and audio links to CNN's coverage of House and Senate proceedings. It also enables students to track how their Representatives and Senators vote and provides daily access to *The Hill*, the capitol newspaper <http://cw2k.capweb.net/voteweb/>

**References and ERIC Resources.** The following list of resources includes references used to prepare this Digest. The items followed by an ED number are available in microfiche and/or paper copies from the ERIC Document Reproduction Service (EDRS). For information about prices, contact EDRS, 7420 Fullerton Road, Suite 110, Springfield, Virginia 22153-2852; telephone numbers are (703) 440-1400 and (800) 443-3742. Entries followed by an EJ number, annotated monthly in CURRENT INDEX TO JOURNALS IN EDUCATION (CIJE), are not available through EDRS. However, they can be located in the journal section of most larger libraries by using the bibliographic information provided, requested through Interlibrary Loan, or ordered from commercial reprint services.


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